

~~CONFIDENTIAL~~

Personnel-12

29 July 1954

Memorandum for: Special Assistant for Career Service

Subject : Conflict of Interest in Career Service

1. Reference is made to your memorandum of 19 July 1954 wherein you raise certain questions of dual allegiance of a member of the Career Staff who is a retired Army officer. 10 USCA 991 and 992 provide that a retired officer of the Army, with his consent, may be assigned to active duty in specified activities, and in time of war may be employed on active duty in the discretion of the President. You pose the specific question whether a staff employee may sign the application for the Career Staff if he is already an Army officer retired for combat-incurred disability.

2. It is my opinion that recalls to active duty, as envisioned in your memorandum, are most unlikely in that questions of manpower utilization in periods of emergency would be for determination on a departmental basis. It would be my further opinion, therefore, that the class of individual referred to in your memorandum of 19 July 1954 may sign the application without any reservations or concern over divided allegiance.

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Office of General Counsel

OGC:JBK:mm

cc: Subject
Signer
Chrono